



Local Government Support Strategies in the SA water sector

Lesson Learning Session with
Bangladesh delegation

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water & forestry

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Water Legal Framework

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- SA Constitution, 1996 – s27 explicitly recognises access to adequate water as a basic human right, and s54 distinguishes the powers and functions of national and local government
 - National Water Act, 1998 – vests all water where ever it occurs in the Minister as custodian and provides for the regulation of the use, protection, conservation and management of water resources
 - Water Services Act, 1997 – obliges local government to take steps to ensure access to water by all communities



Framework (2)

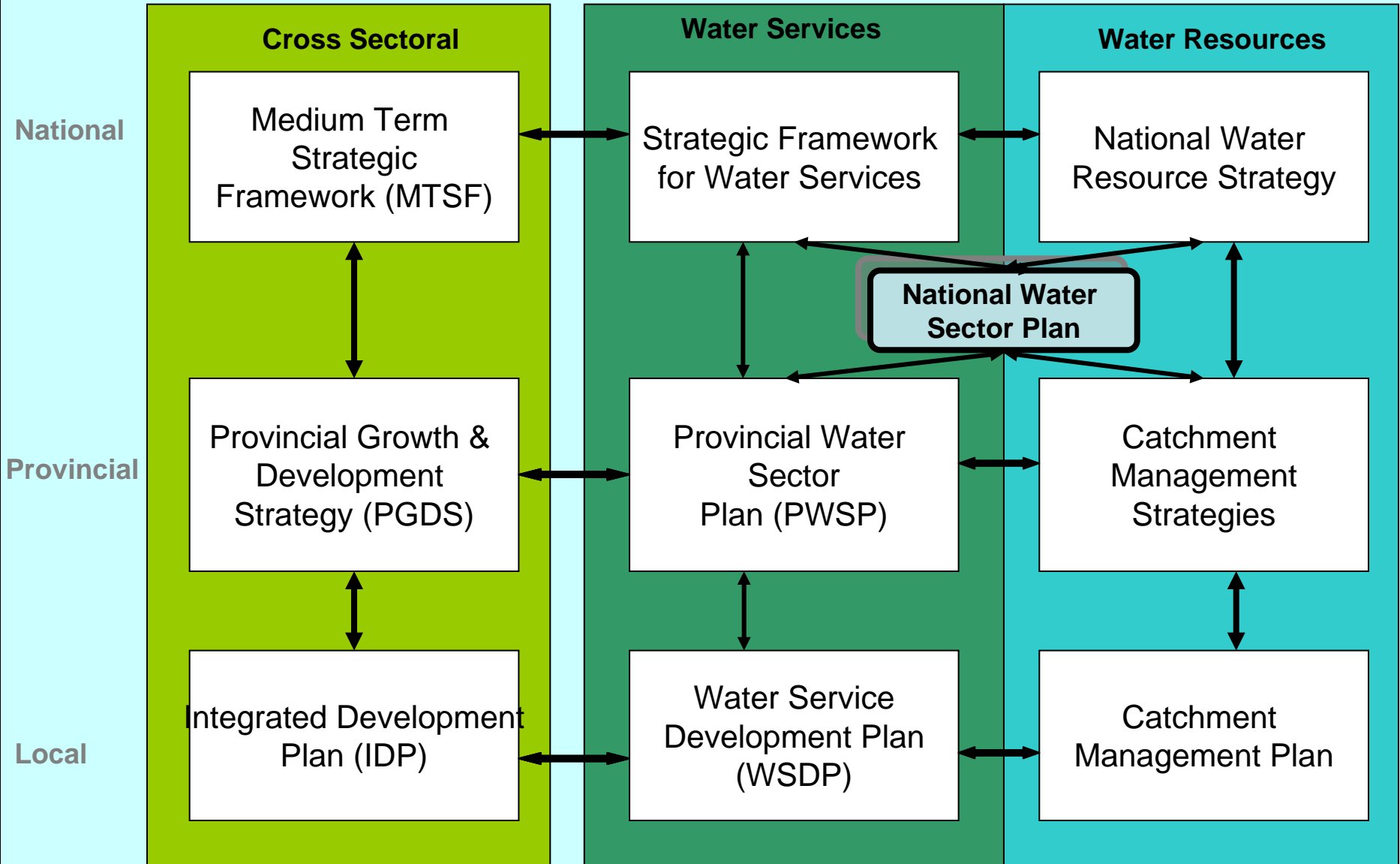
- This policy and legislation presents a stark contrast to the pre-democratic dispensation, which ended in 1994
 - Access to water was not a basic right
 - Land-owners had the advantage of riparian rights, and land ownership was restricted
 - Service delivery was reserved for “selected” areas
- The policy and legislation of the democratic South African Government is internationally acclaimed as good, in particular
 - The recognition of access to water as a basic human right;
 - the decentralised management of resources; and
 - the pro-poor implementation strategies



Framework (3)

- The Constitution places a duty on all spheres to realise the right of access to water by acting in partnership with one another.
- Whilst the national government is required to establish a national framework to ensure the realisation of this right, local government must play the critical role of ensuring water delivery to all.
- The decentralised consultative policy of the government is good (recognised both nationally and internationally), but the challenges as a result of the magnitude of change places a huge emphasis on the need to support the various structures to implement the policy.

Integration of Water Sector Planning at the three spheres of Government





Stakeholders

- The South African Water (Services) sector is very well organised
- Sector adopted SWAP approach in 2000, and functions under single, commonly developed policy – Strategic Framework for Water Services (approved by Cabinet in Sept 2003)
- Key sector partners are DWAF as sector leader, Dept of Provincial and Local Government (dplg) as department responsible for local government and South African Local Government Association (SALGA) as the voice of local government



Role of DWAF

- Recognising water as both a social and economic good, and a means of achieving redistribution, growth and development, the government has designated a Minister with the portfolio of water, including both resource management and water services delivery
- She is supported by the Department of Water Affairs and Forestry, who has as its core responsibilities in relation to water to :
 - Make Policy
 - Lead the Sector
 - Regulate water activity
 - Support local government in service delivery





Role of Local Government

- Local Government is constitutionally charged with the mandate for service delivery – getting potable water to the communities and managing sanitation and waste water systems
- Municipalities are democratically elected by the local community and must consult and reflect the will of the community in regard to all planning and policy decision making.
- Water services delivery cannot be privatised as the municipalities are the water services authority but municipality can elect to contract certain provider functions out



WSA Governance / WSP Provider functions

The **governance (WSA)** function which includes:


- **ensuring access**, which includes: developing policies that promote efficient, affordable, economical and sustainable access to water services; determining tariffs and subsidies; ensuring that the necessary water services infrastructure is in place (capital projects); ensuring health and hygiene promotion; and conserving water resources;
- **regulating** which includes making bylaws and monitoring and regulating compliance with the bylaws;
- **planning** being the development and management of the water services development plan (WSDP) which includes project prioritisation;
- **decision making** concerning water services provider (WSP) institutional arrangements and ensuring the necessary institutional and /or contractual arrangements for water services provision.

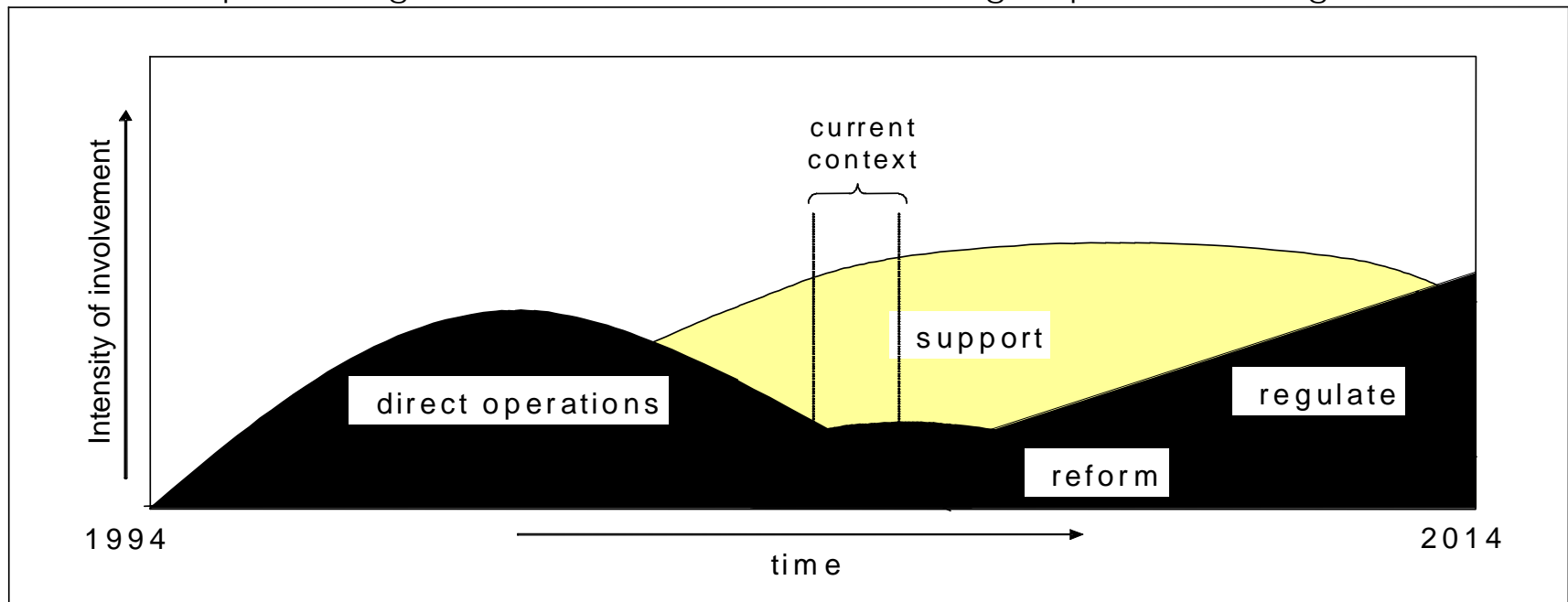
The **provision (WSP)** function which is:

- the **actual provision of water and sanitation services** (operations and maintenance, customer relations, revenue collection, financial administration, providing information on the provision of services).
- The WSA may either perform this function itself where it fulfils the role of WSP or it may contract another WSP to fulfil this function.



Evolution of DWAF's role

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- DWAF has a role in water sector regulation, local government support, reform and is the sector leader
 - The Strategic Framework for Water Services of 2003, put an initial 5 year focus on support to local government.
 - Support will continue but it is time for DWAF's regulatory role to become more prominent as indicated in the diagram below from the National Water Services Regulation Strategy
 - Future support must put more attention on local government meeting regulatory requirements.
 - The sector has some mechanisms in place to enable this and is in the process of implementing more in accordance with its strategies, policies and legislation.





Local Government Support Mechanisms (1)

- Joint National Water Services Sector Support Strategy
 - 3 Objectives and 10 Focus Areas

Objective 1: establishment & functioning of capable, effective & efficient water services institutions

1A

Programmatic support to WSAs

1B

Direct operational support to WSPs



Objective 2: development of skills

2A

Councillor training

2B

Leadership development



2C

Training coordinators



2D

HRD 2025 vision

Objective 3: role-players effective

3A

Sector-wide approach

3B

Co-ordination

3C

Peer networks

3D

Knowledge management

 = new initiative

Objective 1: establishment and functioning of capable, effective and efficient water services institutions

1A

Programmatic support to WSAs

Aim of support to WSAs is to:

Put the necessary support in place so that every WSA is able to fulfill their authority functions whereby they:

- ✓ have their policies and bylaws in place
- ✓ are able to plan water services for their area of jurisdiction
- ✓ are able to set tariffs and allocate equitable share for sustainable and efficient water services
- ✓ are able to project plan and implement their infrastructure targets (capital projects)
- ✓ have the capacity to regulate their water services provides

To be strong and effective authorities of water services

Objective 1: establishment and functioning of capable, effective and efficient water services institutions

Aim of support to WSP is to:

Prioritise under-performing WSPs to turn around their performance so that they:

- ✓ Address strategic operational priorities
- ✓ Achieve significant improvement in performance within a short timeframe
- ✓ Are able to access the resources necessary to improve performance on a sustainable basis

1B

NEW

Direct operational support to WSPs

The purpose of **skills development** is to ensure that:

✓ **Councillors** are able to make **good and informed decisions** where they are empowered to provide leadership to water services within the local government sphere (2A)

✓ Officials and key players in the sector have the necessary **leadership skills** and vision to realise strong and effective water services institutions and sustainable water services (2B)

Objective 2: development of skills

2A

**Councillor
training**

2B

**Leadership
development**

2C

**Training
coordinators**

2D

**HRD 2025
vision**

✓ **Training of support managers** ensures that support is properly managed, co-ordinated and targeted to the needs of WSA / WSP (2C)

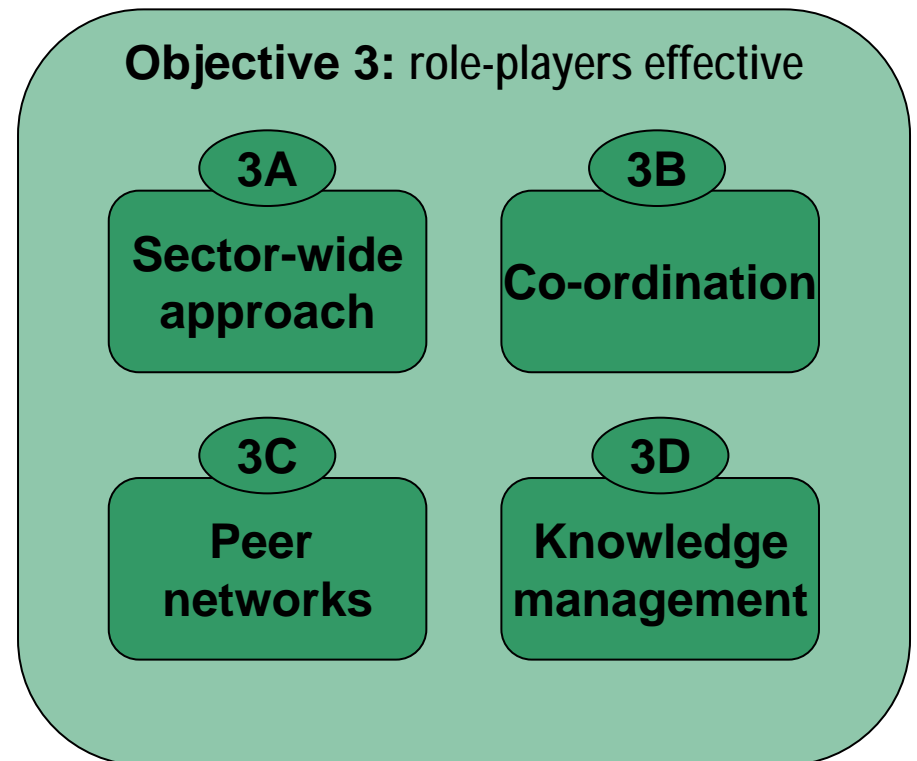
✓ Human resources initiatives are geared towards **increasing HR capacity** for the sector (2D)

The **sector wide** approach will result in common objectives, the pooling of resources and the targeting of support so that support is properly aligned and streamlined (3A)

Peer networks will strengthen the sharing of lessons and knowledge between WSAs and WSPs through ensuring full ownership by participants and ensuring they are adequately resourced (3C)

Knowledge management will ensure that water services institutions have access to the water services and water resources knowledge they require in an accessible form (3D)

Co-ordination is aimed at ensuring that WSAs and municipal WSPs receive the support they need, when they need it and that 'supporters' provide the right type of support (3B)





Local Government Support Mechanisms (2)

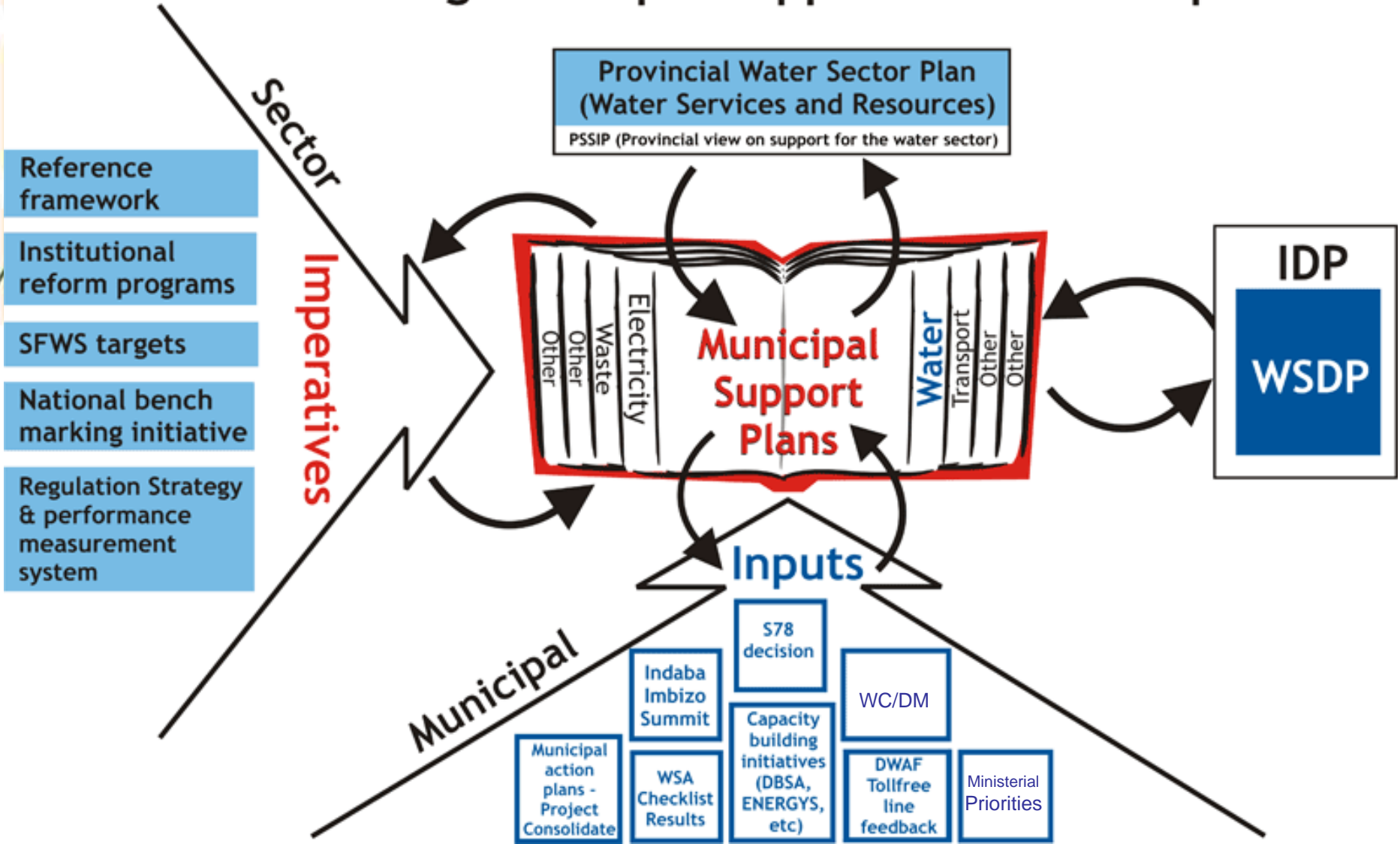
- Alignment to the 5 Year Local Government Strategic Agenda
 - DWAF has aligned activities to 3 strategic priorities and is reporting quarterly against these objectives
 - All sectors required to give support through **Municipal Support Plans**



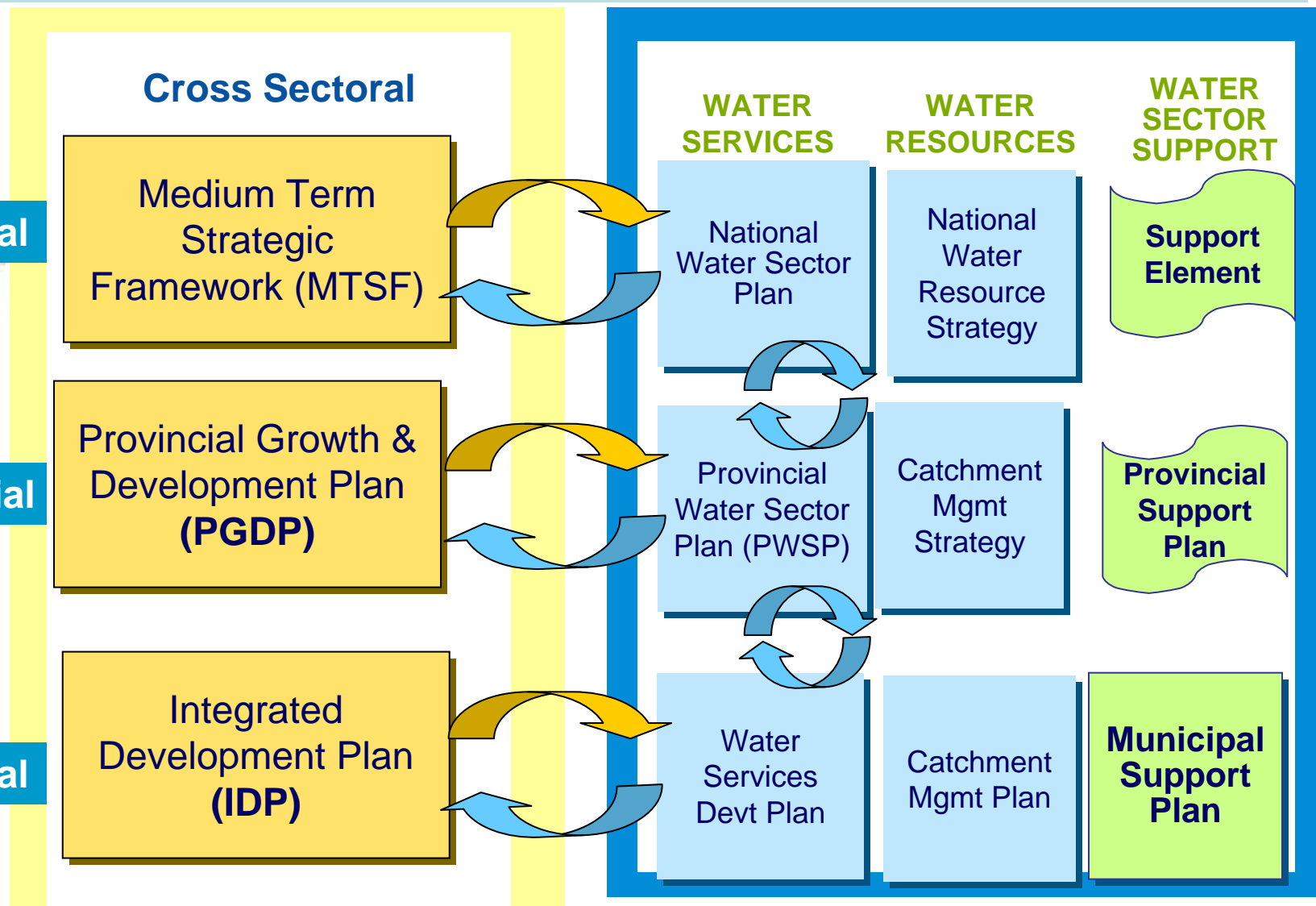
LGSA 3 Strategic Priorities

- Mainstreaming hands-on support to Local Government to improve municipal governance, performance and accountability
- Addressing the Structure and Governance Arrangements of the State in order to better strengthen, support and monitor local government
- Refining and strengthening the policy, regulatory and fiscal environment for local government and giving greater attention to the enforcement measures.

Contextualizing Municipal Support Plan Development



WATER SECTOR PLANNING IS LINKED TO CROSS SECTORAL PLANNING PROCESSES



National

Cross Sectoral

Medium Term Strategic Framework (MTSF)

WATER SERVICES

National Water Sector Plan

WATER RESOURCES

National Water Resource Strategy

WATER SECTOR SUPPORT

Support Element

Provincial

Provincial Growth & Development Plan (PGDP)

Provincial Water Sector Plan (PWSP)

Catchment Mgmt Strategy

Provincial Support Plan

Local

Integrated Development Plan (IDP)

Water Services Devt Plan

Catchment Mgmt Plan

Municipal Support Plan

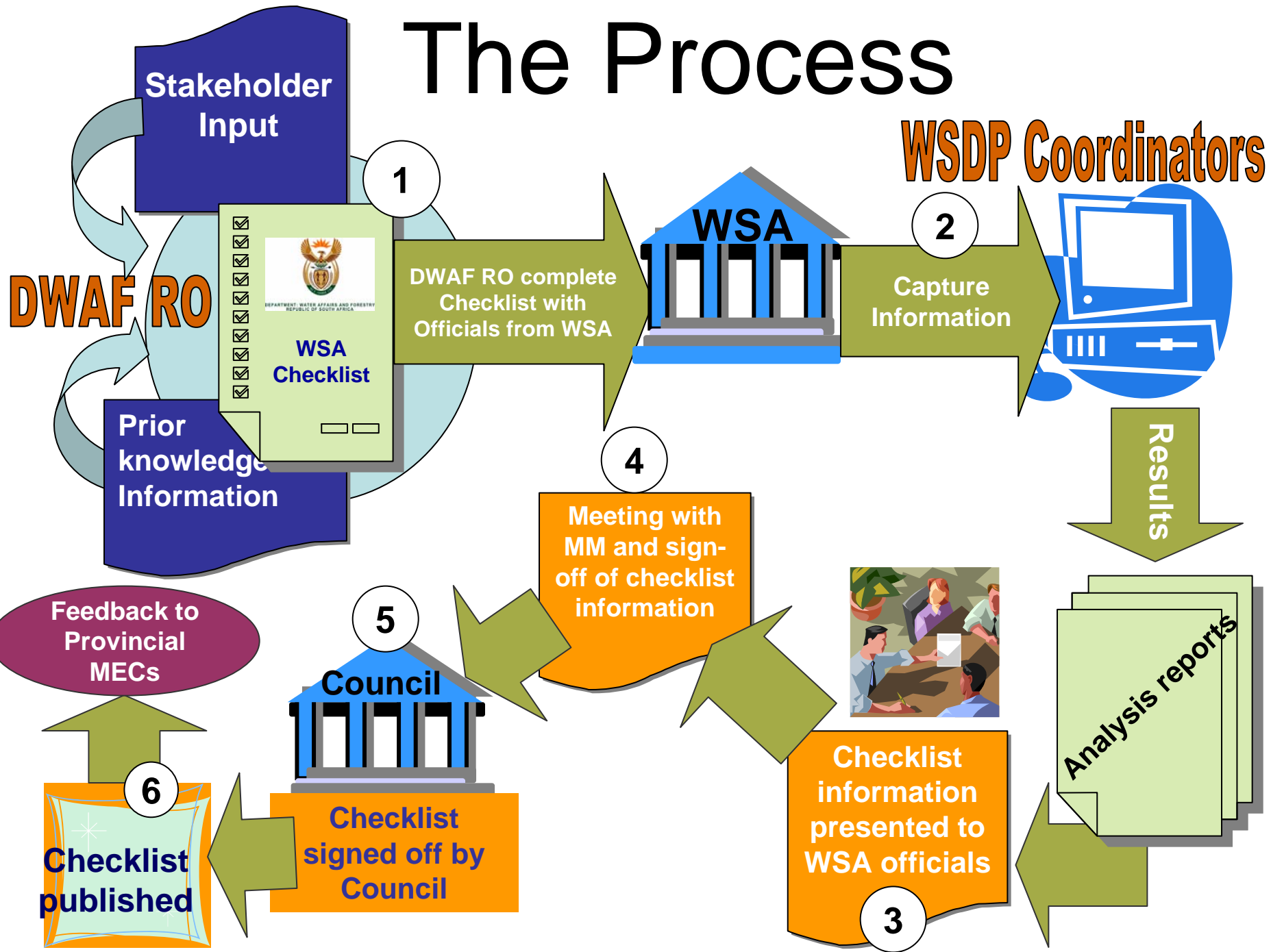


WSA Checklist



- DWAF has developed the WSA Checklist as a quick assessment tool, giving an indication of legislative compliance of WSA. It should be used and implemented in a manner that enhances and builds relationships between the Regional DWAF and WSAs.
- The **results** of the checklist is intended to be used by WSAs, sector partners and DWAF Regional to assess, amend and expand existing support to address areas where it is needed.

The Process





Concluding Comments (1)

- Experience has shown that although collaboration is time consuming and takes resources it has proved to be very beneficial in developing common vision and agreement on what needs to be done (between 3 spheres of government)
- Support and regulatory approaches need to work in tandem. Support must not be open ended as it could lead to dependency. It must be targeted with clear milestones and indicators.



Concluding Comment (2)

- Support will not yield results if the receiving institution is unable to absorb the support or is dysfunctional. If support does not have required results must be able to regulate or institute institutional reform.
- Experience has shown that when municipalities are put under the spotlight of the regulatory section of DWAF or are put under administration by the Provincial Dept of Local Government, they become more focused around developing their functions and performing according to their constitutional mandate. Regulations can be used to drive support.
- Must not under estimate the importance of the **HUMAN** element. No matter how good the frameworks and strategies are, if there is instability around the **human resource** issue, progress will be hampered.